

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	NO. CR-05-2087-LRS-5
Plaintiff,)	
)	ORDER GRANTING MOTION TO
v.)	REOPEN (Ct Rec. 302) AND
)	ORDER GRANTING RELEASE
)	FOLLOWING BAIL REVIEW
FRANCISCO PADILLA,)	HEARING (Ct Rec. 309)
)	
Defendant.)	

This matter came before the Court for a bail review hearing February 21, 2006. The government was represented by Shawn Anderson, Esq. Defendant was present with CJA counsel, Aaron Dalan, Esq.

Today's proceeding was held via video conference with the defendant's permission.

The defendant moved to reopen the detention hearing and requested release on conditions stating there are conditions which would reasonably assure defendant's appearance as required.

The Court **granted** the defendant's motion to expedite (**Ct Rec. 305**) and the motion to reopen detention. (**Ct Rec. 302**).

The government argued for continued detention stating that there are no conditions which justify reconsidering the issue of bail and there are no conditions which will reasonably assure

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1 defendant's appearance as required and safety of the community.

2 At the Court's request, U. S. Probation Officer Jim Moon
3 orally provided his recommendations.

4 This court has taken into account the recommendations of
5 counsel and Officer Moon, evidence and information produced at
6 this hearing and record concerning appearance at court
7 proceedings, and the nature and seriousness of the danger to any
8 person or the community that would be posed by the defendant's
9 release.

10 The Court **granted** defendant's oral request for
11 reconsideration of conditions of release (**Ct Rec. 309**).

12 **IT IS ORDERED** that the defendant shall be released subject to
13 the following conditions:

- 14 1. The defendant shall sign A.O. Form 199C.
- 15 2. The \$20,000 appearance bond is reinstated.
- 16 3. That the defendant shall be released to a U. S.
17 Probation Officer who will check defendant in to the BBL Clean and
18 Sober Housing Facility.
- 19 4. That the defendant shall reside at the BBL Clean and
20 Sober Housing Facility and shall comply and abide with their
21 conditions and rules.
- 22 5. That if any problems arise with the residency at BBL
23 Clean and Sober, owner/operator Robert Bonser, will immediately
24 advise U.S. Probation.
- 25 6. The defendant shall remain in the Eastern District of
26 Washington while the case is pending.
- 27 7. The defendant shall maintain or actively seek

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1 employment.

2 8. The defendant shall report to the U.S. Probation Office
3 as directed.

4 DATED this 21st day of February, 2006.

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6 S/MICHAEL W. LEAVITT
7 United States Magistrate Judge
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